

# HOUSE BILL 1198

B4

11r2751

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By: **Delegate Branch**

Introduced and read first time: February 17, 2011

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City – East Baltimore Community Recreation and Learning Center**  
3 **Loan of 2001 and Maryland Consolidated Capital Bond Loan of 2005 – East**  
4 **Baltimore Community Recreation and Learning Center**

5 FOR the purpose of amending the East Baltimore Community Recreation and  
6 Learning Center Loan of 2001 and the Maryland Consolidated Capital Bond  
7 Loan of 2005 to change the purpose of a certain grant; and generally relating to  
8 amending prior authorizations of debt for the East Baltimore Community  
9 Recreation and Learning Center.

10 BY repealing and reenacting, with amendments,  
11 Chapter 715 of the Acts of the General Assembly of 2001, as amended by  
12 Chapter 94 of the Acts of the General Assembly of 2002 and Chapter 707  
13 of the Acts of the General Assembly of 2009  
14 Section 1

15 BY repealing and reenacting, with amendments,  
16 Chapter 445 of the Acts of the General Assembly of 2005  
17 Section 1(3) Item ZA01(O)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Chapter 715 of the Acts of 2001, as amended by Chapter 94 of the Acts of 2002**  
21 **and Chapter 707 of the Acts of 2009**

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
23 MARYLAND, That:

24 (1) The Board of Public Works may borrow money and incur indebtedness on  
25 behalf of the State of Maryland through a State loan to be known as the Baltimore

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 City – East Baltimore Community Recreation and Learning Center Loan of 2001 in a  
2 total principal amount equal to the lesser of (i) \$500,000 or (ii) the amount of the  
3 matching fund provided in accordance with Section 1(5) below. This loan shall be  
4 evidenced by the issuance, sale, and delivery of State general obligation bonds  
5 authorized by a resolution of the Board of Public Works and issued, sold, and delivered  
6 in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement  
7 Article and Article 31, § 22 of the Code.

8 (2) The bonds to evidence this loan or installments of this loan may be sold  
9 as a single issue or may be consolidated and sold as part of a single issue of bonds  
10 under § 8–122 of the State Finance and Procurement Article.

11 (3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer  
12 and first shall be applied to the payment of the expenses of issuing, selling, and  
13 delivering the bonds, unless funds for this purpose are otherwise provided, and then  
14 shall be credited on the books of the Comptroller and expended, on approval by the  
15 Board of Public Works, for the following public purposes, including any applicable  
16 architects' and engineers' fees: as a grant to the Mayor and City Council of the City of  
17 Baltimore (referred to hereafter in this Act as "the grantee") for [the acquisition,  
18 planning, design, and construction of a facility to be] **PRESERVING, STABILIZING,  
19 MAINTAINING, AND PREPARING THE PROPERTY** located at 2101 East Biddle Street  
20 in Baltimore [to be used as a community recreation and learning center] **FOR  
21 FUTURE DEVELOPMENT OPPORTUNITIES IN ACCORDANCE WITH  
22 RECOMMENDATIONS OFFERED IN PRIOR DESIGN AND PLANNING STUDIES FOR  
23 THE PROPERTY.**

24 (4) An annual State tax is imposed on all assessable property in the State in  
25 rate and amount sufficient to pay the principal of and interest on the bonds, as and  
26 when due and until paid in full. The principal shall be discharged within 15 years  
27 after the date of issuance of the bonds.

28 (5) Prior to the payment of any funds under the provisions of this Act for the  
29 purposes set forth in Section 1(3) above, the grantee shall provide and expend a  
30 matching fund. No part of the grantee's matching fund may be provided, either  
31 directly or indirectly, from funds of the State, whether appropriated or  
32 unappropriated. No part of the fund may consist of in kind contributions or funds  
33 expended prior to the effective date of this Act. The fund may consist of real property.  
34 In case of any dispute as to the amount of the matching fund or what money or assets  
35 may qualify as matching funds, the Board of Public Works shall determine the matter  
36 and the Board's decision is final. The grantee has until June 1, 2003, to present  
37 evidence satisfactory to the Board of Public Works that a matching fund will be  
38 provided. If satisfactory evidence is presented, the Board shall certify this fact and the  
39 amount of the matching fund to the State Treasurer, and the proceeds of the loan  
40 equal to the amount of the matching fund shall be expended for the purposes provided  
41 in this Act. Any amount of the loan in excess of the amount of the matching fund  
42 certified by the Board of Public Works shall be canceled and be of no further effect.

1           (6) The proceeds of the loan must be expended or encumbered by the Board  
 2 of Public Works for the purposes provided in this Act no later than June 1, [2011]  
 3 **2012**. If any funds authorized by this Act remain unexpended or unencumbered after  
 4 June 1, [2011] **2012**, the amount of the unencumbered or unexpended authorization  
 5 shall be canceled and be of no further effect. If bonds have been issued for the loan, the  
 6 amount of unexpended or unencumbered bond proceeds shall be disposed of as  
 7 provided in § 8–129 of the State Finance and Procurement Article.

**Chapter 445 of the Acts of 2005**

9           SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 10 MARYLAND, That:

11           (3)    ZA01           LOCAL HOUSE OF DELEGATES INITIATIVES

12   (O)        East Baltimore Community Recreation and Learning Center.  
 13            Provide a grant equal to the lesser of (i) \$300,000 or (ii) the  
 14            amount of the matching fund provided, to the Mayor and City  
 15            Council of the City of Baltimore for [the acquisition, planning,  
 16            design, and construction of a facility to be used as a  
 17            community recreation and learning center, to be]  
 18            **PRESERVING, STABILIZING, MAINTAINING, AND**  
 19            **PREPARING FOR FUTURE DEVELOPMENT THE PROPERTY**  
 20            **LOCATED AT 2101 EAST BIDDLE STREET**, located in  
 21            Baltimore City, subject to a requirement that the grantee  
 22            grant and convey an historic easement to the Maryland  
 23            Historical Trust (Baltimore City) ..... 300,000

24           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 25 June 1, 2011.